



09/840,860

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Attorney Docket No.: 83118-0002 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL FOR A NEW CONTINUATION
PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)(2)

This is a request for filing a Continuation patent application under 37 C.F.R. §1.53(b)(2) of:

Inventor(s): Akihide ITO, Harushige AONO and Makoto FUKUSHIMA

For: SYSTEM AND METHOD FOR USING METADATA TO FLEXIBLY ANALYZE DATA

- In response to the Office Action dated March 9, 2005, Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:

| Total Months Requested | Fee for Extension |
|---|-------------------------|
| <input type="checkbox"/> first month | \$ 120.00 / \$ 60.00 |
| <input type="checkbox"/> second month | \$ 450.00 / \$ 225.00 |
| <input checked="" type="checkbox"/> third month | \$1,020.00 / \$ 510.00 |
| <input type="checkbox"/> fourth month | \$1,590.00 / \$ 795.00 |
| <input type="checkbox"/> fifth month | \$2,160.00 / \$1,080.00 |

1. This is a new UTILITY patent application, which is a Continuation of U.S. Patent Application Serial No. 09/840,860, filed April 25, 2001, which claims priority under 35 U.S.C. 119(e) from U.S. Provisional Patent Application Serial No. 60/202,181, filed May 5, 2000.
2. The papers enclosed to obtain a filing date are as follows:
33 Pages of Application including:
18 Pages of Disclosure;
9 Pages of Claims (4 Independent – 36 Total Claims);
1 Page of Abstract; and
5 Sheets of drawings containing (Figs 1 – 5)

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3. **Combined Declaration and Power of Attorney**

- Enclosed and is newly executed by all inventors.
 Enclosed in this continuation/divisional application and is a copy from a prior application (37 CFR § 1.63(d)).
 Not Enclosed.
This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant awaits notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. **Language - English**

5. **Assignment -** An assignment was filed in the parent application. Please recognize the following entity as the assignee for publication purposes: IAF Consulting, Inc.

6. **Priority -** foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

Priority of the following foreign application(s) is claimed:

| Country | Application No. | Filed |
|---------|-----------------|-------|
| | | |
| | | |

Certified copy: is attached. will follow.

7. **Priority based on provisional application under 35 U.S.C. §119(e)**

Benefit of the following U.S. provisional application(s) is claimed:

| Provisional Application No. | Filed |
|-----------------------------|-------------|
| 60/202,181 | May 5, 2000 |
| | |

8. **Priority based on the provisions of 35 U.S.C. §120**

Benefit of the following U.S. application is claimed:

| Non-Provisional Application No. | Filed |
|---------------------------------|----------------|
| 09/840,860 | April 25, 2001 |
| | |

9. **Preliminary Amendment**

- Amend the specification by inserting before the first line the sentence:
"This application is a continuation, division of co-pending application number, filed , which is hereby incorporated by reference"

10. **Small entity status**

- Small entity status under 37 C.F.R. §1.27 is claimed for this application.

11. **Fee Calculation (37 C.F.R. § 1.16):**

| CLAIMS FOR FEE CALCULATION | | | | |
|---|--------------|--------------|------------------------------|-------------------------------|
| | Number Filed | Number Extra | at Rate of | Basic Fee Utility \$300.00 |
| Total Claims (37 C.F.R. §1.16(c)) | 36 - 20 = | 16 | \$ 50 / \$25 each = | + 800.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 4 - 3 = | 1 | \$ 200 / \$100 each = | + 200.00 |
| Multiple dependent claim(s), if any (37 C.F.R. §1.16(d)) | | | \$.00 | + .00 |
| Utility Search Fee \$500 / \$250 | | | | \$ 500.00 |
| Utility Examination Fee \$200 / \$100 | | | | \$ 200.00 |
| Three-Month Extension of Time \$1,020.00 / \$510.00 (Paid on September 9, 2005) | | | | \$ 1,020.00 |
| | | | SUB-TOTAL | \$ 3,020.00 |
| | | | Reduce by ½ for Small Entity | - 1,510.00 |
| | | | TOTAL FILING FEE = | \$ 1,510.00 |

12. **Fee Payment:**

- A check in the amount of \$ 0.00 is enclosed.
- The Commissioner is hereby authorized to charge Deposit Account No. 50-1349 in the amount of \$510.00 to cover the **Three-Month Extension of Time Fee Only**.
- Fee Payment Not Enclosed (For Filing of Continuation Application Only).**
NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.
This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

- Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

13. Additional papers enclosed:

- Nonpublication Request pursuant to 37 CFR § 1.213
 Combined Power of Attorney by Assignee and Certificate under 37 CFR § 3.73(b)
 Change of Correspondence Address
 Preliminary Amendment
 Information Disclosure Statement
 Forms PTO- 1449 and PTO-892
 Declaration of Biological Deposit
 Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

HOGAN & HARTSON LLP

Dated: September 9, 2005

By: AJ J. Vaidya

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